

**Amendments to the Drawings:**

The attached replacement drawing sheet includes changes to FIGS. 1, 2, 6A and 6B. FIGS. 1 and 2 are amended to add reference characters 4 and 5. FIGS. 6A and 6B have been amended to illustrate the drive 50 which drives the gear mechanism.

These replacement sheets, which include Figs. 1, 2, 3, 6A, and 6B, replace the original sheets including Figs. 1, 2, 3, 6A, and 6B.

Attachment: Replacement Sheets

## REMARKS

Claims 1-6 and 8-21 are currently pending, with claim 1 being the only independent claim. The drawings and specification have been amended. Claim 7 has been canceled. Claims 1-6, 8-17 and 21 have been amended. No new matter has been added. Reconsideration of the above-identified application, in view of the following amendment and remarks, is respectfully requested.

### Priority Claim

The application data sheet recites that the present application is a National Stage Application under 35 U.S.C. §371 of PCT/EP2004/003361, filed March 30, 2004. Applicants request that the Examiner acknowledge applicants' priority claim and that the certified copies of the priority documents have been received in this National Stage Application from the International Bureau on any subsequent Office Action Summary (Form PTOL-326) or other form or notice that may issue.

### Information Disclosure Statement

The Examiner has indicated he has not considered DE 44 02 229, EP 0 940 765 and DE 198 09 619 and has drawn a line through these references on Form PTO/SB/08A to indicate they were not considered because no English language translations were received.

However, MPEP § 609.03 states:

The examiner will consider the documents cited in the international search report in a PCT national stage application *when the Form PCT/DO/EO/903 indicates that both the international search report and the copies of the documents are present in the national stage file*. In such a case, *the examiner should consider the documents from the international search report and indicate by a statement in the first Office action that the information has been considered*. (Emphasis Added)

In the instant application, the Form PCT/DO/EO/905 that was returned to the undersigned on July 25, 2006 indicates that both the international search report and the copies of the documents are present in the national stage file. As a result, it is respectfully requested that the Examiner consider all of the documents from the international search report, i.e., the DE 44 02 229, EP 0 940 765 and DE 198 09 619 references.

In any event, in the interest of advancing prosecution on the merits, an Information Disclosure Statement (IDS) is being filed concurrently with the instant amendment which includes an Abstract for the DE 44 02 229, EP 0 940 765 and DE 198 09 619 references. An acknowledgement of the receipt, entry and consideration of this IDS is respectfully requested. Because the DE 44 02 229, EP 0 940 765 and DE 198 09 619 references should have been considered in accordance with MPEP §609.03, it is believed that no fee is required for the IDS. If the Examiner disagrees, however, it is respectfully requested that the fee be charged to our PTO deposit account.

#### Drawing Objection

The Examiner has objected to the drawings for failure to show every feature specified in the claims. According to the Examiner, the drawings must show “a locking unit”, a “closure means”, “input opening for the card”, a “drive” and a “control unit”.

In response to this rejection, applicants have canceled dependent claim 7. Dependent claim 21 has been amended to delete the locking unit and closure means of an insertion opening. Therefore, the rejection with respect to the “a locking unit”, a “closure means”, “input opening for the card” and a “control unit” is moot.

Applicants have amended FIGS. 6A and 6B to show the location of the drive that drives the gear mechanism. In addition, applicant has amended the specification to include reference

designator 50 for the drive. Support for the amendment to FIG. 6A and 6B may be found at pg. 11, lines 10-12 of the specification as originally filed. No new matter has been added. Entry of the replacement sheet is respectfully requested.

Figs. 1 and 2 are additionally amended to show reference characters 4 and 5 which are mentioned in the specification but not shown in the drawings.

The specification is also amended to be consistent with the changes to the drawings and to remove reference character 31 from the first full paragraph on page 12. The same paragraph is amended to correct reference characters 46 and 47.

#### Rejections Under 35 U.S.C. §112, First Paragraph

Claims 7 and 21 stand rejected under 35 U.S.C. §112, first paragraph for failure to comply with the enablement requirement. According to the Examiner, "the specification does not reasonably provide enablement for 'the second gear mechanism is kinetically coupled to a locking unit arranged to lock a closure means of an input opening for the card to be received,' and 'the second gear mechanism has at least one third guide element arranged to control and drive a locking unit for locking a closure means of an insertion opening'". The Examiner further asserts that the "lack of enablement is at least due to insufficient descriptions about and/or illustrations of 'a locking unit,' 'closure means,' and an insertion opening'". In response to this rejection, dependent claim 7 has been canceled and dependent claim 21 has been amended in a self-explanatory manner. Withdrawal of the rejection is therefore deemed to be in order.

### **Rejections under 35 U.S.C. §112, Second Paragraph**

Claims 1-20 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite for failure to point out and distinctly claim the subject matter which applicants regard as the invention. In response to each specific rejection, applicants have amended the claims in a self-explanatory manner.

For example, the Examiner states that claim 1 "recites the limitation via plural term the 'gear mechanism' in the phrase, 'the gear mechanisms arranged to be kinetically couple to the clamping unit.' However, it is unclear which gear mechanisms are being referred to as there are three different recitations of the term 'gear mechanism'". In response to this rejection, applicants have amended independent claim 1 to recite "the gear mechanism of the card receiving device includes a first gear mechanism and a second gear mechanism which are each at least temporarily driven by the at least one drive". Withdrawal of the rejections is therefore deemed to be in order.

Applicants respectfully submit that this application is in condition for allowance, and such action is respectfully requested.

Should the Examiner have any comments, questions, suggestions or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,  
COHEN PONTANI LIEBERMAN & PAVANE LLP

By \_\_\_\_\_

  
Alfred W. Froebich  
Reg. No. 38,887  
550 Fifth Avenue, Suite 1210  
New York, New York 10176  
(212) 687-2770

Dated: December 30, 2008